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Attorney Docket No. 108298511US
Disclosure No. 00-0176.00/US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: SCOTT G. MEIKLE

APPLICATION No.: 09/649,427

FILED: AUGUST 28, 2000

FOR: **METHOD AND APPARATUS FOR
FORMING A PLANARIZING PAD
HAVING A FILM AND TEXTURE
ELEMENTS FOR PLANARIZATION OF
MICROELECTRONIC SUBSTRATES**

EXAMINER: LAN VINH

ART UNIT: 1765

CONFIRMATION No: 7170

Comments on Statement of Reasons for Allowance

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Notice of Allowability mailed January 14, 2004, the Examiner allowed claims 1-23. Although the applicant's attorney agrees with the Examiner's conclusion that these claims are allowable, the applicant's attorney notes that the claims may be allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterizations of the terms of the claims and the prior art are correct.

Moreover, in the statement of reasons for allowance of copending U.S. Application No. 09/649,429, Examiner Marcheschi commented that an obviousness-type double patenting rejection would be proper in this case in light of copending U.S. Application No. 09/649,429. The applicant's attorney disagrees with Examiner Marcheschi's assertion that an obviousness-type double patenting rejection would be proper in this case or in copending U.S. Application No. 09/649,429, or that any one of

the claims in this application is an obvious variant of a claim in the 09/649,429 application. Nevertheless, the applicant submits a terminal disclaimer in each case to expedite prosecution.

Respectfully submitted,
Perkins Coie LLP

Date: April 13, 2004



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